

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

UNITED STATES OF AMERICA,

v.

MARCUS OLIVER,

Defendant.

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CASE NO.: 1:06-CR-30 (WLS)

ORDER

Before the Court is Defendant Marcus Oliver's "Motion Pursuant to 5G1.3." (Doc. 171.) In the motion, Oliver seeks an Order terminating his sentence of confinement because the Bureau of Prisons allegedly miscalculated his jail credit. On August 14, 2013, the Court noticed Oliver it planned to construe his motion as a petition for a writ of habeas corpus under 28 U.S.C. § 2241 and gave him twenty-one days to object. Oliver objected and requested that the Court rule on his motion as captioned.

As the Court already stated in its previous order, the United States Sentencing Guidelines, on which Oliver relies, do not give the Court authority terminate a sentence or adjust the Bureau of Prisons' calculation of jail credit. A "court may not modify a term of imprisonment once it has been imposed" except in limited circumstances, 18 U.S.C. § 3582(c), none of which are applicable here.

Oliver's motion is therefore **DENIED**.

SO ORDERED, this 15th day of October 2013.

/s/ W. Louis Sands
THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT